

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No.: 004-105150JLT

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PAN AMERICAN AIRWAYS CORP., )  
Plaintiff/Counterclaim Defendant, )  
vs. )  
ROBERT E. BARNES, )  
Defendant/Counterclaim Plaintiff. )

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**PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION IN LIMINE  
FOR A PRE-TRIAL RULING AS TO CHOICE OF LAW TO BE APPLIED  
TO PLAINTIFF'S CLAIMS AND DEFENDANT'S COUNTERCLAIM**

NOW COMES the plaintiff in opposition to the defendant's motion in limine and states as follows:

1. Plaintiff incorporates by reference the contents of its Motion in Limine for a Pre-Trial Ruling as to Choice of Law to be Applied to Plaintiff's Claims and Defendant's Counterclaims in opposition to the defendant's motion in limine.

WHEREFORE, the plaintiff respectfully requests that this Honorable Court deny defendant's motion in limine and allow the plaintiff's motion in limine that is referenced herein.

The Plaintiff/Counterclaim Defendant,  
By its attorney,

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*/s/ John J. O'Brien, Jr.*  
John J. O'Brien, Jr.  
BBO# 375885  
O'Brien & von Rosenvinge, P. C.  
27 Mica Lane, Suite 202  
Wellesley, MA 02481  
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DATED: September 14, 2006

CERTIFICATE OF SERVICE

I, John J. O'Brien, Jr., attorney for the plaintiff/counterclaim defendant hereby certify that on this date a true copy was forwarded by electronic message to the following counsel of record:

Peter Piel, Esq.  
800 Turnpike Street  
Suite 300  
North Andover, MA 01845

DATED: September 14, 2006

/s/ *John J. O'Brien, Jr.*

John J. O'Brien, Jr.